

RECEIVED  
CENTRAL FAX CENTER  
NOV 24 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael S. Head et al.

Serial No.: 10/701,715

Filed: November 5, 2003

Title: Apparatus and Method for  
Detecting an Analyte

Attorney Docket No.: 09987-00002

Group Art Unit: 2856

Examiner: John P. Fitzgerald

Commissioner for Patents  
Alexandria, VA 22313-1450

November 24, 2004

<input checked="" type="checkbox"/> CERTIFICATION OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-472-9306, on the date shown below.
<i>Lawrence H. Meier</i> 24 Nov. 2004
Lawrence H. Meier Date

RESPONSE TO FIRST OFFICE ACTION ON THE MERITS

This is in response to the Office Action (paper no. 082304) regarding the above-identified patent application that was mailed from the U.S. Patent and Trademark Office on August 25, 2004. Amendments to the Claims and Remarks concerning the Office Action start, respectively, on the following pages 2 and 7.

P277-12/00

Page 1 of 13

Law Offices of  
Downs Rachlin Martin PLLC  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190  
(802) 863-2375

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875						Application or Docket Number <span style="font-size: 1.2em;">10/761715</span>	
<b>CLAIMS AS FILED – PART I</b> (Column 1) (Column 2)							
FOR	NUMBER FILED	NUMBER EXTRA			SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
BASIC FEE (37 CFR 1.16(a))					RATE	FEE	
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*			X \$	=	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*			X \$	=	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$	=		
				TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.							
<b>CLAIMS AS AMENDED – PART II</b> <span style="font-size: 1.2em;">11.24.04</span> (Column 1) (Column 2) (Column 3)							
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	*	**	=	X \$	=	
	Independent (37 CFR 1.16(b))	*	***	=	X \$	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	
					TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	*	**	=	X \$	=	
	Independent (37 CFR 1.16(b))	*	***	=	X \$	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	
					TOTAL ADD'L FEE		
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	*	**	=	X \$	=	
	Independent (37 CFR 1.16(b))	*	***	=	X \$	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$	=	
					TOTAL ADD'L FEE		

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.